

MINUTES

SECOND BUDGET HEARING  
KEY BISCAYNE, FLORIDA

TUESDAY, SEPTEMBER 23, 2014

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Theodore Holloway, Michael E. Kelly, Mayra P. Lindsay, Edward London (arrived at 7:08 p.m.), James S. Taintor, Vice Mayor Michael W. Davey and Mayor Franklin H. Caplan. Also present were Village Manager John C. Gilbert, Deputy Village Clerk Jennifer Duque and Village Attorney Stephen J. Helfman.

2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.

3. **MILLAGE RESOLUTION:** The Deputy Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE FINAL MILLAGE RATE OF THE VILLAGE OF KEY BISCAYNE FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); SETTING A DATE FOR A FINAL PUBLIC HEARING TO ADOPT THE MILLAGE RATE; PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Lindsay made a motion to approve the resolution. The motion was seconded by Vice Mayor Davey.

Mayor Caplan made a motion to table the resolution to be heard after the budget hearing. The motion was seconded by Councilmember Lindsay and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

4. **ORDINANCES:** The Deputy Clerk read the following ordinance on second reading, by title:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA; ADOPTING THE BUDGETS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015 PURSUANT TO FLORIDA STATUTE 200.065 (TRIM BILL); PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Lindsay made a motion to adopt the ordinance on second reading. The motion was seconded by Councilmember Kelly.

At this time, the Manager introduced Mr. Michael Futterman, CPA, Audit Partner with Marcum LLP. Mr. Futterman addressed the Council regarding budgeting practices.

There was extensive discussion from Council regarding budgeting practices.

The Attorney addressed the Council regarding the budgeting process. There was extensive discussion from Council regarding budgeting practices.

The Mayor opened the public hearing. Ed Meyer, 798 Crandon Boulevard; Donald Elisburg, 177 Ocean Lane Drive; Gene Stearns, 250 Cape Florida Drive; Patricia Woodson, 940 Mariner Drive; Betty Sime Conroy, 785 Crandon Boulevard; Alan Fein, 525 Allendale Road addressed the Council. The Mayor closed the public hearing.

At this time, Councilmember Lindsay addressed the Council regarding setting a date for a Capital Improvement Plan Workshop. It was the consensus of Council to schedule the Capital Improvement Plan Workshop on October 14, 2014 at 6:00 p.m.

During the First Budget hearing, Council reviewed and discussed the Departmental Budgets except for the Police Department. The remaining four (4) sections of the Proposed FY2014-15 Budget to be reviewed and discussed by Council are: the Police Departmental Budget, the Transportation Special Revenue Fund, and the Stormwater and Solid Waste Enterprise Funds.

The Manager addressed the Council regarding the proposed budgets. The following are changes that have been made to the FY2014-15 Budget since the First Budget Hearing on September 9<sup>th</sup>. 1.) The costs for Insurance, Property and Liability along with Workers Compensation reflect the actual renewal premiums; 2.) In the Council's budget the Subscriptions & Memberships budget line item by \$3,100 (new total: \$3,000); 3.) The Grants budget line item increased by \$10,000 (new total: \$25,000).

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The Manager's budget reflects a decrease of \$2,000 to the Office Supplies line item (new total: \$10,000).

The Attorney's portion of the budget reflects an increase of \$40,000 to the Lawsuits line item (new total: \$100,000).

The Building, Zoning and Planning budget reflects an increase of \$300,000 to the Building Permit-350 Ocean Drive revenue line item (new total: \$500,000).

The Parks and Recreation portion of the budget reflects a two (2) newly created line items entitled Promotional Events- City Theater with a budget of \$15,000 and Promotional Events-Dog Park Committee with a budget of \$10,000.

The Community Center budget reflects a correction in the Life, Health Disability Insurance line item by a decrease of \$28,570 (new total: \$48,253) and increased the Memberships revenue line item by \$30,000 (new total: \$630,000).

At this time, the proposed FY2015-2019 Capital Improvement Plan was discussed.

The Manager addressed the Council regarding the Five (5) Year Capital Improvements Plan for FY2015-2019. The Operational and Non-Operational projects separated within each of the seven (7) categories. The Non-Operational projects identified in the applicable categories were prioritized numerically by Staff; one (1) being the most important.

Additionally, the Manager is recommending to move the encumbered funds for the Contingency and Completed Project Excess line items into the Working Capital line item.

The Manager is also recommending to remove \$50,000 towards the assigned reserve for the Landscape Master Plan, remove the lease payments located within the Public Safety- Fire category totaling \$84,000 and to remove the proposed projects within the Building, Zoning and Public Works category regarding new sidewalks totaling \$243,000.

There was extensive discussion from Council regarding moving the \$7,000,000 Developer Contribution into the Land Acquisition/Open Space Land Trust fund.

It was the consensus of Council to add \$41,000 towards additional golf cart parking on Ocean Drive and E. Heather.

It was the consensus of Council to reduce the amount for the 530 Crandon Park Construction for a total of \$669,529 within the Recreation and Open Space category.

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It was the consensus of Council to add \$150,000 towards upgrading the audio and visual system in the Village Council Chambers.

There was extensive discussion from Council regarding the proposed FY2015-2019 Capital Improvement Plan.

Vice Mayor Davey made a motion to extend the meeting to 11:15 p.m. The motion was seconded by Councilmember Lindsay and approved by a 7-0 voice vote. Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

The amount of total funds needed for the FY2015 CIP is \$4,966,527. The funding will be obtained from the Restricted/Committed Reserves-Working Capital line item.

Vice Mayor Davey made a motion to remove from the table the proposed millage rate resolution. The motion was seconded by Councilmember Lindsay and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

The Attorney read into the record that the proposed millage rate for the Village of Key Biscayne for the fiscal year commencing October 1, 2014 through September 30, 2015, and is hereby fixed at the rate of 3.0 mills which is \$3.00 dollars per \$1,000.00 of assessed property value within the Village of Key Biscayne. That the rolled back rate is 2.7217 mills and the proposed millage rate is 3.0 mills which is 10.23% over the rolled-back rate.

Councilmember London made an amending motion to lower the millage rate to 2.5 mills. The motion failed for lack of a second.

Councilmember Taintor made an amending motion to lower the millage rate to 2.8 mills. The motion failed for lack of a second.

Vice Mayor Davey made a motion to extend the meeting to 11:20 p.m. The motion was seconded by Councilmember Holloway and approved by a 7-0 voice vote. Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

There was extensive discussion from Council regarding lowering the millage rate.

The motion to approve the resolution adopting the proposed millage rate, as amended, for fiscal year commencing October 1, 2014 through September 30, 2015 was approved by a 5-2 roll call vote. The vote was as follows: Councilmembers Holloway, Lindsay, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes. Councilmembers London and Kelly voting No.

The motion to approve the budget ordinance on second reading, as amended, was approved by a 6-1 roll call vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes. Councilmember London voting No.

5. **RESOLUTIONS:** The Deputy Clerk read the following resolution by title:

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING THE 5 YEAR CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2015-2019 ATTACHED AS EXHIBIT "A;" PROVIDING FOR VILLAGE MANAGER AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Lindsay made a motion to approve the resolution. The motion was seconded by Vice Mayor Davey.

The resolution, as amended, was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Holloway, Kelly, Lindsay, London, Taintor, Vice Mayor Davey and Mayor Caplan voting Yes.

6. **REPORTS AND RECOMMENDATIONS:** There were no items discussed.

Mayor and Councilmembers. The Council did not submit a report.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk did not submit a report.

Village Manager. The Manager did not submit a report.

7. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

8. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.

9. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

10. **ADJOURNMENT:** The meeting was adjourned at 11:20 p.m.



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Respectfully submitted:



Jennifer Duque  
Chief of Staff/Deputy Village Clerk



Approved this 13th day of October, 2015:



Mayra P. Lindsay  
Mayor

**IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.**